

Electronic Petition Request	<b>PETITION TO WITHDRAW AN APPLICATION FROM ISSUE AFTER PAYMENT OF THE ISSUE FEE UNDER 37 CFR 1.313(c)</b>
Application Number	10764010
Filing Date	22-Jan-2004
First Named Inventor	Philipp Lang
Art Unit	3737
Examiner Name	JONATHAN CWERN
Attorney Docket Number	3104/109
Title	ASSESSING THE CONDITION OF A JOINT AND DEVISING TREATMENT

An application may be withdrawn from issue for further action upon petition by the applicant. To request that the Office withdraw an application from issue, applicant must file a petition under this section including the fee set forth in § 1.17(h) and a showing of good and sufficient reasons why withdrawal of the application from issue is necessary.

**APPLICANT HEREBY PETITIONS TO WITHDRAW THIS APPLICATION FROM ISSUE UNDER 37 CFR 1.313(c).**

A grantable petition requires the following items:

(1) Petition fee; and  
(2) One of the following reasons:

(a) Unpatentability of one or more claims, which must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be patentable;  
(b) Consideration of a request for continued examination in compliance with § 1.114 (for a utility or plant application only); or  
(c) Express abandonment of the application. Such express abandonment may be in favor of a continuing application, but not a CPA under 37 CFR 1.53(d).

**Petition Fee**

Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  
 Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).  
 Applicant(s) status remains as SMALL ENTITY.  
 Applicant(s) status remains as other than SMALL ENTITY

**Reason for withdrawal from issue**

- One or more claims are unpatentable
- Consideration of a request for continued examination (RCE) (List of Required Documents and Fees)
- Applicant hereby expressly abandons the instant application (any attorney/agent signing for this reason must have power of attorney pursuant to 37 CFR 1.32(b)).

RCE request, submission, and fee.

I certify, in accordance with 37 CFR 1.4(d)(4) that:

- The RCE request, submission, and fee have already been filed in the above-identified application on
- Are attached.

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

- An attorney or agent registered to practice before the Patent and Trademark Office who has been given power of attorney in this application.
- An attorney or agent registered to practice before the Patent and Trademark Office, acting in a representative capacity.
- A sole inventor
- A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors
- A joint inventor; all of whom are signing this e-petition
- The assignee of record of the entire interest that has properly made itself of record pursuant to 37 CFR 3.71

Signature	/Kathryn E. Noll, #48,811/
Name	Kathryn E. Noll
Registration Number	48811